

AMENDED IN ASSEMBLY MARCH 14, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1534

Introduced by Assembly Member Wieckowski
(Coauthor: Senator Correa)

January 24, 2012

An act to add Chapter ~~5~~ 6 (commencing with Section ~~10000~~ 11950) to Division ~~3.6~~ 5 of the Vehicle Code, relating to ~~used vehicle sales~~ vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1534, as amended, Wieckowski. Vehicles: *dealers*: used vehicle sales: labeling requirements.

Existing law regulates the accuracy of information provided to consumers during vehicle sales, including the information contained in advertising, brochures, and manuals, as specified. Existing law also requires manufacturers, as specified, to disclose certain information regarding a vehicle's engine, as specified, by affixing a label on the vehicle. ~~Violation~~ A violation of these provisions is an infraction.

This bill would require ~~every~~ a dealer, ~~on or after January 1, 2013,~~ to affix ~~to and to prominently and conspicuously display a prominent~~ label ~~to every~~ on any used vehicle offered for sale that states the reasonable market value of ~~that the~~ vehicle, ~~as defined. This~~ The bill would require the label to ~~disclose, among other things, the vehicle valuation entity~~ contain specified information used to determine the vehicle's reasonable market value and the date the value was determined. ~~By expanding the definition of crimes relating to vehicle sales, this~~ The bill would require a dealer to provide to a prospective purchaser of the used vehicle a copy of any information obtained from a nationally

recognized pricing guide that the dealer used to determine the reasonable market value of the vehicle. By creating a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter ~~5 6~~ (commencing with Section ~~10000~~)
2 ~~11950~~) is added to Division ~~3.6~~ 5 of the Vehicle Code, to read:

3
4 CHAPTER ~~5.6. DISCLOSURE OF MARKET VALUE SALE OF USED~~
5 VEHICLES

6
7 ~~10000.~~

8 ~~11950.~~ (a) ~~Every A dealer, on or after January 1, 2013,~~ shall
9 affix a ~~prominent~~ label on ~~every~~ *any* used vehicle being offered
10 for sale that states the reasonable market value of that vehicle. ~~A~~
11 ~~valid~~ The label ~~under this section~~ shall meet all of the following
12 conditions:

13 (1) Be in writing.

14 (2) Be printed with a heading that reads “REASONABLE
15 MARKET VALUE OF THIS VEHICLE” in at least 16-point bold
16 type and text in at least 12-point type.

17 (3) Be located adjacent to the window sticker identifying the
18 equipment provided with the vehicle or, if none, it shall be located
19 prominently and conspicuously on the vehicle ~~in such a fashion~~
20 *so* that it is readily readable.

21 (4) Contain the information used to determine the reasonable
22 market value of the vehicle, including, but not limited to, the
23 ~~vehicle valuation entity used to determine the reasonable market~~
24 ~~value.~~ *use of a nationally recognized pricing guide for used*
25 *vehicles.*

26 (5) Contain the date the reasonable market value was
27 determined.

1 ~~(b) For purposes of this section, “reasonable market value”~~

2 *(b) A dealer shall provide to a prospective purchaser of the*
3 *used vehicle a copy of any information obtained from a nationally*
4 *recognized pricing guide that the dealer used to determine the*
5 *reasonable market value of the vehicle.*

6 *(c) As used in this section:*

7 *(1) “Reasonable market value” means the average retail value*
8 *of a used vehicle based on the condition, mileage, year, make, and*
9 *model of the vehicle, as determined within the last 30 days by a*
10 ~~*vehicle valuation entity nationally recognized pricing guide that*~~
11 ~~*provides used vehicle value guides or vehicle retail values or*~~
12 ~~*pricing reports to dealers or the public.*~~

13 *(2) “Nationally recognized pricing guide” includes, but is not*
14 *limited to, the Kelley Blue Book (KBB), Edmunds, the Black Book,*
15 *or the National Automobile Dealers’ Association (NADA) Guide.*

16 SEC. 2. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within
23 the meaning of Section 6 of Article XIII B of the California
24 Constitution.